

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1363

Introduced by Assembly Member Roger Hernández

February 22, 2013

~~An act to amend Section 148 of the Labor Code, relating to employment. An act to add Section 37117 to the Government Code, relating to local government.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1363, as amended, Roger Hernández. ~~Employment: Occupational Safety and Health Appeals Board. Public safety services.~~

Existing law provides for the creation and regulation of cities. Existing law specifies the powers of the legislative bodies of cities.

This bill would prohibit the legislative body of a general law city from eliminating its entire police or fire protection department except by an ordinance that is approved by a majority of the voters voting on the issue at a local election.

~~Existing law establishes within the Labor and Workforce Development Agency the California Occupational Safety and Health Appeals Board to conduct hearings when an employer is served with a special order relating to occupational safety and health appeals that order.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 37117 is added to the Government Code,
2 to read:

3 37117. The legislative body of a general law city shall not
4 eliminate its entire police or fire protection department except by
5 an ordinance that is approved by a majority of the voters voting
6 on the issue at a local election.

7 SECTION 1. ~~Section 148 of the Labor Code is amended to~~
8 read:

9 148. (a) ~~There is in the Department of Industrial Relations the~~
10 ~~Occupational Safety and Health Appeals Board, consisting of three~~
11 ~~members appointed by the Governor, subject to the approval of~~
12 ~~the Senate. One member shall be from the field of management;~~
13 ~~one shall be from the field of labor, and one member shall be from~~
14 ~~the general public. The public member shall be chosen from fields~~
15 ~~other than management or labor. Each member of the appeals board~~
16 ~~shall devote his or her full time to the performance of his or her~~
17 ~~duties.~~

18 (b) ~~The chairman and each member of the appeals board shall~~
19 ~~receive the annual salary provided for by Chapter 6 (commencing~~
20 ~~with Section 11550) of Part 1 of Division 3 of Title 2 of the~~
21 ~~Government Code.~~

22 (c) ~~The Governor shall designate the chairman of the appeals~~
23 ~~board from the membership of the appeals board. The person so~~
24 ~~designated shall hold the office of chairman at the pleasure of the~~
25 ~~Governor. The chairman shall designate a member of the appeals~~
26 ~~board to act as chairman in his or her absence.~~